

### **REMARKS**

In response to the above-identified Office Action, Applicant amends the Application and seeks reconsideration in view of the following remarks. In this Response, Applicant amends claims 1-2, 7, 14 and 19. Applicant does not cancel or add any new claims. Accordingly, claims 1-28 remain pending in the Application.

#### **I. Claims Rejected Under 35 U.S.C. § 103**

##### **A. Claims 1, 4-5, 7-8, 11-12, 19, 22, and 26**

Claims 1, 4-5, 7-8, 11-12, 19, and 26 stand rejected under 35 U.S.C. § 103(a) as being obvious over European Patent No. EP 1,158,788 issued to Machida et al. ("*Machida*") in view of U.S. Patent Application Publication No. 2005/0028225 filed by Reynolds et al. ("*Reynolds*"). Applicant respectfully traverses the rejection.

To render a claim obvious, the cited references must disclose each and every element of the rejected claim (*see* MPEP § 2143). In the rejection the Examiner asserts that the combination of *Machida* and *Reynolds* describes all of the claim elements. Applicant respectfully disagrees.

However, without conceding that the rejection is correct, independent claim 1 has been amended to clarify that the claimed invention includes "a manual I/O interface in operable communication with the plurality of video processing pipelines, the manual I/O interface being configured to provide an option to a user to direct the switch network to connect a specific video decoder output to a particular view window of the apparatus for display." Amended independent claim 1 recites, in pertinent part:

"[a]n apparatus for display of video data from a plurality of video sources, the apparatus comprising... a manual I/O interface in operable communication with the plurality of video processing pipelines, the manual I/O interface being configured to provide an option to a user to direct the switch network to connect a specific video decoder output to a particular view window of the apparatus for display."

Applicant respectfully asserts that none of *Machida*, *Reynolds* or their combination describes “a manual I/O interface in operable communication with the plurality of video processing pipelines, the manual I/O interface being configured to provide an option to a user to direct the switch network to connect a specific video decoder output to a particular view window of the apparatus for display.” Support for this amendment may be found in paragraphs [0024 (keyboard and mouse)-0025 (user may control the size and /or the location of such window in the video terminal 112).

Therefore, amended independent claim 1 is allowable over the combination of *Machida* and *Reynolds*. Amended independent claims 7 and 19 recite similar subject matter and are allowable over the combination of *Machida* and *Reynolds* for at least the same reasons. Claims 4-5, 8, 11-12, and 22 properly depend from an allowable amended independent claim 1, 7 or 19 and are allowable therewith.

**B. Claims 2-3 and 20-21**

Claims 2-3 and 20-21 stand rejected under 35 U.S.C. § 103(a) as being obvious over *Machida* in view of *Reynolds* and U.S. Patent No. 6,487,719 issued to Itoh (“*Itoh*”). Applicant respectfully traverses the rejection and points out that claims 2-3 and 20-21 properly depend from an allowable amended independent claim 1 or 19 and are allowable therewith.

**C. Claims 6, 9-10, 14, and 27-28**

Claims 6, 9-10 and 27-28 stand rejected under 35 U.S.C. § 103(a) as being obvious over *Machida* in view of *Reynolds* and U.S. Patent No. 5,883,676 issued to Miyazaki et al. (“*Miyazaki*”). Applicant respectfully traverses the rejection and points out that claims 6, 9-10 and 2-28 properly depend from an allowable amended independent claim 1, 7 or 19 and are allowable therewith.

**D. Claim 13**

Claim 13 stands rejected under 35 U.S.C. § 103(a) as being obvious over *Machida* in view of *Reynolds* and U.S. Patent No. 6,118,498 issued to Reitmeier (“*Reitmeier*”). Applicant respectfully traverses the rejection and points out that claim 13 depends from an allowable claim 11 and is allowable therewith.

Further, in his rejection the Examiner concedes that the combination of *Machida* and *Reynolds* fails to describe “decoding a scaled field of a frame in the video data” but then proceeds by asserting that the disclosure in Column 5, line 62-column, line 7 of *Reitmeier* cures the conceded discrepancy.

Claim 13 recites “The method of claim 7, wherein decoding, with the plurality of video decoders, the portion of video data comprises decoding, with the plurality of video decoders, a scaled **field of a frame** in the video data. Applicant respectfully disagrees and asserts that *Reitmeier* fails to describe the subject matter subscribed to *Reitmeier*.

The cited portion of *Reitmeier* describes retrieving an I-frame (i.e. an Intraframe) and coupling the I-frame to a video decoder. A resize and compression unit then resizes the I-frame prior to storage. Applicant respectfully points out that an Intraframe is a complete frame of video data as opposed to a B-frame or a P-frame which contains only changed data from the last I-frame. As such, *Reitmeier* is not describing the “decoding of a scaled **field of a frame** in the video data” because an I-frame is a complete video data frame and not just a field from a frame. Moreover, in reviewing *Reitmeier* Applicant is unable to discern any sections in *Reitmeier* teaching or suggesting such elements. Therefore, *Reitmeier* fails to cure the defects of *Machida* and *Reynolds*. Therefore, claim 13 is allowable over the combination of *Machida*, *Reynolds* and *Reitmeier* for at least this additional and independent reason.

The failure of the cited references to teach or suggest each and every element of claim 13 is fatal to the obviousness rejection. Therefore, claim 13 is not obvious over the cited references. Accordingly, Applicant respectfully requests withdrawal of the rejection of claim 13.

**E. Claim 14**

Claim 14 stands rejected under 35 U.S.C. § 103(a) as being obvious over *Machida* in view of *Reynolds*, *Reitmeier*, and *Miyazaki*. Applicant respectfully traverses the rejection. To render a claim obvious, the cited references must disclose each and every element of the rejected claim (see MPEP § 2143).

Without conceding that the rejection is correct, Independent claim 14 has been amended to clarify that a user option is provided to select one of the first and second decoded frames for viewing in a particular view window of the display device. Amended independent claim 14 recites, in pertinent part:

“[a] method for displaying video data from a plurality of video sources via a plurality of video channels in a display device, comprising...providing a user option to select one of the first and second decoded frames for viewing in a particular view window of the display device via a manual I/O interface that is in operable communication with the first and second video processing pipelines.

As discussed above in regard to amended independent claim 1, Applicant submits that the combination of *Machida*, *Reynolds*, *Reitmeier*, and *Miyazaki* fails to teach or suggest “providing a user option to select one of the first and second decoded frames for viewing in a particular view window of the display device via a manual I/O interface that is in operable communication with the first and second video processing pipelines.” Therefore, amended independent claim 14 is allowable over the combination of *Machida*, *Reynolds*, *Reitmeier*, and *Miyazaki* for at least this reason.

**F. Claims 15-18**

Claims 15-18 stand rejected under 35 U.S.C. § 103(a) as being obvious over *Machida* in view of *Reynolds*, *Reitmeier*, *Miyazaki*, and U.S. Patent No. 6,456,335 issued to Miura et al. (“*Miura*”). Applicant respectfully traverses the rejection. Claims 15-18 properly depend from claim 14 and are allowable therewith.

#### **G. Claims 23-25**

Claims 23-25 stand rejected under 35 U.S.C. § 103(a) as being obvious over *Machida* in view of *Reynolds* and *Miura*. Applicant respectfully traverses the rejection because Claims 23-25 properly depend from an allowable amended independent claim 19 and are allowable therewith.

Further, in regard to claim 25, the Examiner rejects claim 25 by asserting that the combination of *Machida* and *Reynolds* describes most of the claim elements but concedes that the combination *Machida* and *Reynolds* fails to describe that “the video fail operation comprises an output of a **previous image** for the one of the plurality of video channels overlaid with a descriptive text to indicate video failure.” The Examiner proceeds in his rejection by asserting that *Miura* cures the conceded discrepancy and cites Column 20; lines 49-54 and Column 36; lines 20-33 in support.

However, Applicant respectfully points out that *Miura* fails to describe the subject matter subscribed to *Miura*. *Miura* merely describes using a fixed bit map such as a logo with an alphanumeric message (See, Col. 20; lines 49-55). A fixed bit map cannot reasonably be construed to be an output of a previous image for the one of the plurality of video channels because the output of a previous image is ever changing and is determined only by the subject matter being displayed and the timing just prior to the failure. In other words the previous image is a random dynamic pattern and not a fixed pattern as is described in *Miura*. Because *Miura* fails to describe “an output of a previous image for the one of the plurality of video channels,” a prima facie case of obviousness cannot be established because the combination of *Machida*, *Reynolds* and *Miura* fails to describe each and every claim element. As such, claim 25 is allowable for at least this additional and independent reason.

#### **H. Claim 26**

Claims 26 stands rejected under 35 U.S.C. § 103(a) as being obvious over *Machida* in view of *Reynolds* and *Kovacevic*. Applicant respectfully traverses the rejection.

Claim 26 properly depends from an allowable amended independent claim 19 and is allowable therewith.

Further, the Examiner rejects claim 26 by asserting that the combination of *Machida* and *Reynolds* describes most of the claim elements but concedes that the combination *Machida* and *Reynolds* fails to describe processing “analog video data.” In light of the Examiner's concession, Applicant respectfully asserts that there is no motivation to combine Kovacevic with either of *Machida* or *Reynolds* because both *Machida* and *Reynolds* are strictly digital processes.

For example, the Examiner has stipulated that the *Reynolds* processes that allegedly reading on the Applicant's base claims all take place in the interactive set top boxes 112/118, which process strictly digital data. As can be seen from Figure 1 of *Reynolds*, all analog data is converted to digital data prior to being transmitted by **Digital** Video Distribution Network 104. Therefore, no processes occurring in the User's Locations 111 are capable of processing analog data. As such, a prima facie case of obviousness cannot be established because there is no motivation to modify *Reynolds* (digital processing) by *Kovacevic* (using analog data) because there is no reasonable chance of success in processing analog data by digital circuitry (See, MPEP §2143.02).

Similarly, the Examiner has stipulated that the *Machida* processes that allegedly read on the Applicant's base claims all occur in the image selection means 100, which processes strictly digital data. As can be seen from FIG. 4 of *Machida*, all video analog data is converted to digital data at A/D converter 213, prior to being transmitted to the digital image selection means 100. Therefore, no processes occurring in the image selection means are capable of processing analog data. As such, a prima facie case of obviousness cannot be established because there is no motivation to modify *Machida* (digital processing) by *Kovacevic* (using analog data) because there is no reasonable chance of success in processing analog data by digital circuitry (See, MPEP §2143.02).

Because there is no motivation to modify either *Machida* or *Reynolds* by the analog data of *Kovacevic*, claim 26 is allowable over the combination of *Machida*, *Reynolds* and *Kovacevic* for at least this additional and independent reason.

**CONCLUSION**

In view of the foregoing, it is believed that all claims now pending are in condition for allowance. A Notice of Allowance is earnestly solicited at the earliest possible date. If the Examiner believes that a telephone conference would be useful in moving the application forward to allowance, the Examiner is encouraged to contact the undersigned at (480) 385-5060 or tnaeckel@ifllaw.com.

If necessary, the Commissioner is hereby authorized to charge payment or credit any overpayment to Deposit Account No. 50-2091 for any fees required under 37 C.F.R. §§ 1.16 or 1.17, particularly extension of time fees.

Respectfully submitted,  
INGRASSIA FISHER & LROENZ

Date: December 28, 2009

By: ARNO T. NAECKEL, REG. NO. 56,114/  
Arno T. Naeckel  
Attorney for Applicant